

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

SMARTMATIC USA CORP.,)	
SMARTMATIC)	
INTERNATIONAL HOLDING B.V. and)	
SGO CORPORATION LIMITED,)	
)	
Plaintiffs,)	Case No. 22-cv-00098-JMB-JFD
)	
v.)	
)	
MICHAEL J. LINDELL and MY PILLOW,)	
INC.,)	

Defendants.

**DEFENDANTS' MOTION TO EXCLUDE
THE EXPERT TESTIMONY OF TAMMY PATRICK**

Defendants respectfully move this Court, under Federal Rule of Evidence 702 and the Daubert standard, to exclude the expert report and testimony of Tammy Patrick. Patrick's report, submitted by Plaintiffs is not helpful under Fed. R. Evid. 702(a), and it fails to meet the required standards of expert testimony under *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993).

Specifically, Defendants challenge Patrick's testimony on the grounds that she lacks the requisite expertise, that her opinions lack a reliable basis, utilize unsound methodology, and are not helpful to the core issues of this litigation.

Dated: November 13, 2024

MCSWEENEY, CYNKAR & KACHOUROFF, PLLC

By /s/ Christopher I. Kachouroff
Christopher I. Kachouroff* (Bar No. 44216)
13649 Office Place, Suite 101

Woodbridge, Virginia 22192
Telephone: (703) 621-3300
chris@mck-lawyers.com

Douglas G. Wardlow (MN Bar #339544)
Jeremiah D. Pilon (MN Bar #392825)
1550 Audubon Rd.
Chaska, MN 55318
Telephone: (952) 826-8658
doug@mypillow.com
jpilon@mypillow.com

ATTORNEY FOR MY PILLOW, INC. AND
MICHAEL LINDELL

*Admitted *Pro Hac Vice*

CERTIFICATE OF SERVICE

I certify that on November 13, 2024, I electronically filed the foregoing with the Clerk of the Court for the United States District Court of Minnesota by using the CM/ECF system, and that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

By /s/ Christopher I. Kachouroff
Christopher I. Kachouroff (VSB# 44216)
**MCSWEENEY, CYNKAR & KACHOUROFF,
PLLC**
13649 Office Place, Suite 101
Woodbridge, Virginia 22192
703.365.9900
chris@mck-lawyers.com